

PRICE OKAMOTO HIMENO & LUM

WARREN PRICE III 1212

ROBERT A. MARKS 2163

707 Richards Street, Suite 728

Honolulu, Hawaii 96813

Phone: 808.538.1113

Fax: 808.533.0549

E-mail: wprice@pohlhawaii.com
ram@pohlhawaii.com

KLEVANSKY & PIPER, LLC

SIMON KLEVANSKY 3217-0

ALIKA L. PIPER 6949-0

CARISA LIMA KA'ALA HEE 7372-0

Bishop Square, Pauahi Tower

1001 Bishop Street, Suite 770

Honolulu, Hawaii 96813

Phone: (808) 536-0200

Fax: (808) 536-0221

E-mail: sklevansky@kplawhawaii.com
apiper@kplawhawaii.com;
kaalahee@kplawhawaii.com

Attorneys for KG Parties¹

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD., a
Japan corporation,

Plaintiff,

vs.

QK HOTEL, LLC, a Hawaii limited
liability company, et al.,

CV 04-00124 ACK-BMK

CV 04-00127 ACK-BMK

CONSOLIDATED CASES

KG PARTIES' MOTION FOR

PARTIAL SUMMARY

JUDGMENT; MEMORANDUM IN

¹ The KG Parties are Defendants, Counterclaimants, and Third-Party Plaintiffs KG HOLDINGS, LLC, KIAHUNA GOLF CLUB, LLC, KG KAUAI DEVELOPMENT, LLC, PUKALANI GOLF CLUB, LLC, KG MAUI DEVELOPMENT, LLC, MILILANI GOLF CLUB, LLC, QK HOTEL, LLC, and OR HOTEL, LLC

Defendants,
and FRANKLIN K. MUKAI, et
al., Third-Party Plaintiffs,
vs.
SPORTS SHINKO (USA) CO., LTD.,
a Delaware Corporation, et al.,
Third-Party Defendants.

SUPPORT OF MOTION;
APPENDIX I; CERTIFICATE OF
SERVICE

SPORTS SHINKO CO., LTD., a
Japan corporation,
Plaintiff,
vs.
OR HOTEL, LLC, a Hawaii limited
liability company, et al.,
Defendants,
and
FRANKLIN K. MUKAI, et al.,
Third-Party Plaintiffs,
vs.
SPORTS SHINKO (USA) CO., LTD.,
a Delaware Corporation, et al.,
Third-Party Defendants.

CV 04-00127 ACK-BMK

KG PARTIES'
MOTION FOR PARTIAL SUMMARY JUDGMENT

Defendants, Counterclaimants and Third Party Plaintiffs KG HOLDINGS, LLC, KIAHUNA GOLF CLUB, LLC, KG KAUAI DEVELOPMENT, LLC, PUKALANI GOLF CLUB, LLC, KG MAUI DEVELOPMENT, LLC, MILILANI GOLF CLUB, LLC, QK HOTEL, LLC, and OR HOTEL, LLC ("KG Parties"), through their counsel, Price Okamoto Himeno & Lum and Klevansky & Piper, LLP, hereby move this Honorable Court for an order granting summary judgment

on 1) Counts I, II and III of the Third Amended Complaints, and 2) Counts I, II and III of the Third Party Counterclaims on file in these consolidated actions.

These counts are the fraudulent transfer claims of the SS Parties against the KG Parties.

This motion is made pursuant to Rule 56 of the Federal Rules of Civil Procedure and Rule 56.1 of the Rules of the United States District Court for the District of Hawaii, the separate concise statement of facts and the declarations and exhibits attached thereto, the attached memorandum of law, and such additional authorities as may be included in the KG Parties' further briefs filed in connection with this motion, the arguments of counsel, and the record herein.

DATED: Honolulu, Hawaii, May 10, 2007.

/s/ Robert A. Marks

WARREN PRICE III

ROBERT A. MARKS

SIMON KLEVANSKY

ALIKA L. PIPER

CARISA LIMA KA'ALA HEE

Attorneys for the KG Parties